

COMMISSIONERS JOURNAL NO. 70 - DELAWARE COUNTY  
MINUTES FROM SPECIAL JOINT SESSION WITH THE BOARD OF COMMISSIONERS OF  
LICKING COUNTY HELD FEBRUARY 4, 2019

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THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN A SPECIAL JOINT SESSION WITH THE BOARD OF COMMISSIONERS OF LICKING COUNTY ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

**Present:**

**Gary Merrell, Delaware County Commissioner**  
**Barb Lewis, Delaware County Commissioner**  
**Jeff Benton, Delaware County Commissioner**

**Duane Flowers, Licking County Commissioner**  
**Rick Black, Licking County Commissioner**  
**Timothy E. Bubb, Licking County Commissioner**

**RESOLUTION NO. 19-01**

**IN THE MATTER OF ALLOWING APPLICATIONS TO AMEND THE PETITION FOR THE JOINT COUNTY DRAINAGE PETITION FILED BY THE HARLEM TOWNSHIP BOARD OF TRUSTEES FOR THE GORSUCH JOINT COUNTY #588:**

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the following:

WHEREAS, pursuant to Chapter 6131 of the Ohio Revised Code, The Harlem Township Board of Trustees, filed a petition with the Clerk of the Board of Commissioners on August 21, 2018, in favor of certain improvements to the Gorsuch Joint County #588 Watershed Drainage Improvement (the "Petition"); and

WHEREAS, Linda Allaby, Thelma Evans, and Jeff Smithberger were not petitioners; and

WHEREAS, on January 2, 2019, before the end of the first hearing on the petition, Linda Allaby, filed an Application for Amendment of the Petition to include her parcels of land, pursuant to section 6131.05 of the Ohio Revised Code; and

WHEREAS, Linda Allaby, (address of 16277 Montgomery Road Johnstown, Ohio 43031) was listed in the Petition as an owner of land that will be benefited or damaged by the completion of the proposed improvement; and

WHEREAS, on January 11, 2019, before the end of the first hearing on the petition, Thelma Evans, filed an Application for Amendment of the Petition to include her parcels of land, pursuant to section 6131.05 of the Ohio Revised Code; and

WHEREAS, Thelma Evans, (address of 2242 S. Countyline Road Johnstown, Ohio 43031) was listed in the Petition as an owner of land that will be benefited or damaged by the completion of the proposed improvement; and

WHEREAS, on January 11, 2019, before the end of the first hearing on the petition, Jeff Smithberger, filed an Application for Amendment of the Petition to include his parcels of land, pursuant to section 6131.05 of the Ohio Revised Code; and

WHEREAS, Jeff Smithberger, (address of 16081 Montgomery Road Johnstown, Ohio 43031) was listed in the Petition as an owner of land that will be benefited or damaged by the completion of the proposed improvement; and

WHEREAS, the Joint Board of Delaware and Licking County Commissioners had, on November 5, 2018, held a view of the proposed improvements; and said viewing would have included area in the Application for Amendment; and

WHEREAS, no further view of the petitioned for improvements is necessary under section 6131.10 of the Ohio Revised Code; and

WHEREAS, the Board of Commissioners has complied with the notice requirements in section 6131.07 of the Ohio Revised Code; and

WHEREAS, no additional owners of land will be benefited or damaged by allowing the Application for Amendment;

NOW, THEREFORE, THE JOINT BOARD OF DELAWARE AND LICKING COUNTY COMMISSIONERS HEREBY RESOLVES AS FOLLOWS:

Section 1. The Applications for Amendment of the Petition for the Gorsuch Joint County #588 Watershed Drainage Improvement ("the Petition") are hereby allowed, pursuant to section 6131.05 of the Ohio Revised Code.

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Section 2. The Petition shall be amended to specifically include, but not be limited to, Linda Allaby, (address of 16277 Montgomery Road Johnstown, Ohio 43031).

Section 3. The Petition shall be amended to specifically include, but not be limited to, Thelma Evans, (address of 2242 S. Countyline Road Johnstown, Ohio 43031).

Section 4. The Petition shall be amended to specifically include, but not be limited to, Jeff Smithberger, (address of 16081 Montgomery Road Johnstown, Ohio 43031).

Section 5. These Amendments do not require additional notice under section 6131.07 of the Ohio Revised Code and do not require an additional view under section 6131.10 of the Ohio Revised Code.

(Applications for Amendment are available in the Delaware County Commissioners' Office until no longer of Administrative Value).

**Vote on Motion:**

<b>Gary Merrell, Delaware County Commissioner</b>	<b>Aye</b>
<b>Barb Lewis, Delaware County Commissioner</b>	<b>Aye</b>
<b>Jeff Benton, Delaware County Commissioner</b>	<b>Aye</b>
<b>Duane Flowers, Licking County Commissioner</b>	<b>Aye</b>
<b>Rick Black, Licking County Commissioner</b>	<b>Aye</b>
<b>Timothy E. Bubb, Licking County Commissioner</b>	<b>Aye</b>

**RESOLUTION NO. 19-02**

**11:00A.M. PUBLIC HEARING FOR CONSIDERATION OF THE GORSUCH JOINT COUNTY #588 DRAINAGE IMPROVEMENT PETITION FILED BY HARLEM TOWNSHIP BOARD OF TRUSTEES AND OTHERS:**

It was moved by Mr. Benton, seconded by Mrs. Lewis to open the hearing at 11:00A.M..

**Vote on Motion:**

<b>Gary Merrell, Delaware County Commissioner</b>	<b>Aye</b>
<b>Barb Lewis, Delaware County Commissioner</b>	<b>Aye</b>
<b>Jeff Benton, Delaware County Commissioner</b>	<b>Aye</b>
<b>Duane Flowers, Licking County Commissioner</b>	<b>Aye</b>
<b>Rick Black, Licking County Commissioner</b>	<b>Aye</b>
<b>Timothy E. Bubb, Licking County Commissioner</b>	<b>Aye</b>

**RESOLUTION NO. 19-03**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE GORSUCH JOINT COUNTY #588 DRAINAGE IMPROVEMENT PETITION FILED BY HARLEM TOWNSHIP BOARD OF TRUSTEES AND OTHERS:**

It was moved by Mr. Bubb, seconded by Mr. Flowers to close the hearing at 11:54 A.M..

**Vote on Motion:**

<b>Gary Merrell, Delaware County Commissioner</b>	<b>Aye</b>
<b>Barb Lewis, Delaware County Commissioner</b>	<b>Aye</b>
<b>Jeff Benton, Delaware County Commissioner</b>	<b>Aye</b>
<b>Duane Flowers, Licking County Commissioner</b>	<b>Aye</b>
<b>Rick Black, Licking County Commissioner</b>	<b>Aye</b>
<b>Timothy E. Bubb, Licking County Commissioner</b>	<b>Aye</b>

**RESOLUTION NO. 19-04**

**IN THE MATTER OF GRANTING THE PRAYER OF THE PETITION AND DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE GORSUCH JOINT COUNTY #588 DRAINAGE IMPROVEMENT PETITION FILED BY HARLEM TOWNSHIP BOARD OF TRUSTEES AND OTHERS:**

It was moved by Mr. Bubb, seconded by Mr. Flowers to approve the following:

